



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,926	09/30/2003	Gregory Scott Clark	215.1021.02	2366

22883 7590 12/16/2004  
SWERNOFSKY LAW GROUP PC  
P.O. BOX 390013  
MOUNTAIN VIEW, CA 94039-0013

EXAMINER


HAMILTON, LALITA M

ART UNIT PAPER NUMBER

3624

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/675,926	CLARK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Lalita M Hamilton	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12122004</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Notani (6,119,149).

Notani discloses a system and corresponding method for allowing collaboration within and between enterprises for optimal decision making comprising an electronic supply chain management and collaborative planning, including a plurality of hubs, remotely coupled to each other, a set of information stored in a database coupled to each said hub, wherein said set of information is owned by business entities relatively proximate to each said hub, tasks and complex tasks, a server coupled to at least one of said hubs, wherein said server is dedicated to a computer program coupled to each said hub that distinguishes between simple performing simple tasks, and a server coupled to at least one of said hubs, wherein said server is dedicated to performing complex tasks (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); at least one hub is designated as a regional authority with respect to synchronizing said set of information stored at other said hubs (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); restricting which hub in said plurality of hubs can perform a write operation to the set of information (col.2, lines 8-21;

Art Unit: 3624

col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); regional authority includes a token, wherein the token permits said regional authority to exercise control (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); the designation of said regional authority is determined by at least one of the following: subnet location, class of goods, proximity to a valued client and network locations as measured by geography or network location (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); designation of regional authority is responsive to which hub in said plurality of hubs is experiencing more business activity than other hubs in said plurality of hubs (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); business activity is measured by at least one of the following: number of transactions, number of units being trading, and monetary value of transactions (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); transaction performed by said hub or a business entity that conducts business using said hub (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); sending moderate to high complexity tasks to a heavyweight server, wherein parsing said message and determining the relative complexity of tasks associated said moderate to high complexity task is processed and sent to a user and sending one or more simple tasks to a lightweight server, wherein said simple tasks are processed and sent to a user of information from said user regarding said moderate to complex tasks at said heavyweight server (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); receiving and processing a set forming a series of calculations and storing a result in a database (col.2, lines 8-21; col.4, line 17 to col.6,

Art Unit: 3624

line 16; and col.8, line 20 to col.9, line 43); receiving and processing a set of information from said user regarding said low complexity tasks at said lightweight server (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43); and processing includes storing a record of said information in a database (col.2, lines 8-21; col.4, line 17 to col.6, line 16; and col.8, line 20 to col.9, line 43).

### ***Conclusion***

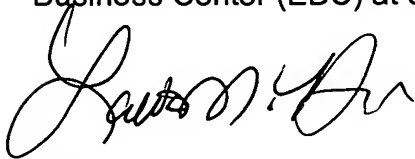
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kaestle US 2003/0018701.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lalita M Hamilton whose telephone number is (703) 306-5715. The examiner can normally be reached on Tuesday-Thursday (8:30-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3624

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'LMH' with a stylized flourish.

LMH